

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Todd Bonds,

Plaintiff,

v.

Case No. 1:19cv1059

Jack Casino, *et al.*,

Judge Michael R. Barrett

Defendants.

ORDER

This matter is before the Court on the Report and Recommendation (“R&R”) filed by the Magistrate Judge on December 18, 2019 (Doc. 4).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). No objections to the Magistrate Judge’s R&R (Doc. 4) have been filed.

Accordingly, it is **ORDERED** that the R&R (Doc. 4) of the Magistrate Judge is hereby **ADOPTED**. Consistent with the recommendation by the Magistrate Judge, plaintiff’s federal law claims are dismissed with prejudice. Further, the Court declines to exercise supplemental jurisdiction over plaintiff’s state law claims and, therefore, dismisses them without prejudice to refile in state court. Finally, the Court certifies that, pursuant to 28 U.S.C. § 1915(a), an appeal of this Order would not be taken in good faith and thus plaintiff is denied leave to appeal *in forma pauperis*. However,

plaintiff remains free to apply to proceed *in forma pauperis* in the Sixth Circuit Court of Appeals. See *Callihan v. Schneider*, 178 F.3d 800, 803 (6th Cir. 1999), overruling in part *Floyd v. United States Postal Serv.*, 105 F.3d 274, 277 (6th Cir. 1997).

IT IS SO ORDERED.

/s/ Michael R. Barrett
Michael R. Barrett, Judge
United States District Court